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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,402	01/02/2004	Hideaki Shoji	247214US6X	2868
22850 7590 08/14/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER PHAM, TUAN	
			ART UNIT	PAPER NUMBER
			2618	
			NOTIFICATION DATE	DELIVERY MODE
			08/14/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**Office Action Summary**

Application No.

10/749,402

Applicant(s)

SHOJI, HIDEAKI

Examiner

TUAN A. PHAM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, and 7-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments, see Applicant's remark, filed on 05/25/2007, with respect to the rejection(s) of claim(s) 1-11 under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Fu (U.S. Pub. No.: 2002/0171587).

### *Title Objection*

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-2, 4-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto et al. (Patent No.: US 5,949,377, hereinafter, "Matsomoto" in view of Fu (U.S. Pub. No.: 2002/0171587).**

**Regarding claim 1**, Matsumoto teaches a radio device comprising a notch antenna, wherein said notch antenna comprises (see figure 44):

a circuit substrate comprising a ground portion (see figure 54, ground), and a notch portion opened at one end thereof (see figure 44, notch antenna 90, open portion 92); and

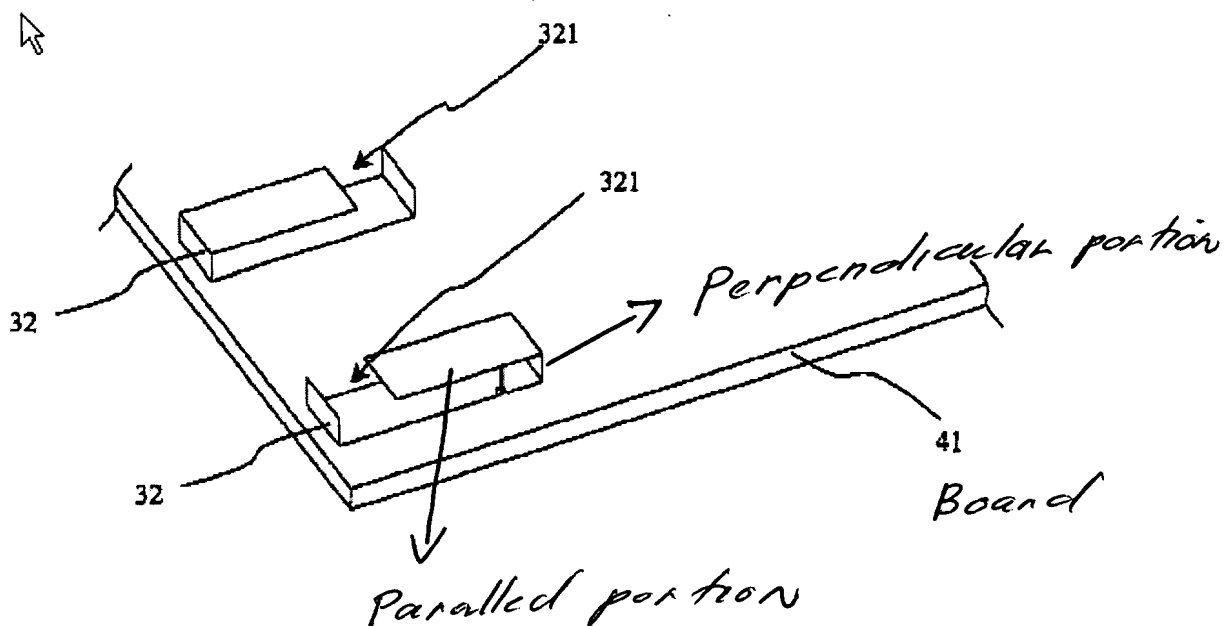
a radio circuit portion provided on said circuit substrate for supplying a high-frequency current to said notch portion (see figure 44, high frequency signal source 25, col.12, ln.18-61).

It should be noticed that Matsumoto fails to teach a conductive bent-back portion formed on said one end side of said circuit substrate and configured to be connected with said ground portion and to extend said notch portion, bent-back portion is comprised of: a perpendicular portion rising substantially perpendicularly to said circuit substrate; and a parallel portion substantially parallel to said circuit substrate, said parallel portion formed so as to extend from the leading end of said perpendicular portion in a direction substantially orthogonal to the notch direction of said notch portion and to cross said notch portion. However, Fu teaches a conductive bent-back portion formed on said one end side of said circuit substrate (see figure 4, circuit substrate 41, bent back portion) and configured to be connected with said ground portion and to extend said notch portion, bent-back portion is comprised of: a perpendicular portion rising substantially perpendicularly to said circuit substrate (see figure 4, bent back portion is perpendicular with circuit substrate board); and a parallel portion substantially parallel to said circuit substrate, said parallel portion formed so as to extend from the leading end of said perpendicular portion in a direction substantially orthogonal to the

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notch direction of said notch portion and to cross said notch portion (see figure 4, parallel portion is parallel with circuit substrate board).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Fu into view of Matsumoto in order to provide the new shape with reducing cost as suggested by Fu at [0005-0006].



**Regarding claim 2,** Fu further teaches said bent-back portion is formed by integrally bending a portion of said circuit substrate (see figure 4).

**Regarding claim 4,** Fu further teaches said bent-back portion is formed by bending a metallic plate (see [0023]).

**Regarding claim 5,** Fu further teaches said bent-back portion is fixed to said circuit substrate by a screw for fixing both a casing for containing said radio device

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therein and said circuit substrate (see figure 4, antenna is soldered on the PCB 41, it is obvious that antenna can be screw on the PCB as just a manufacture's choice).

**Regarding claim 7**, Fu further teaches said circuit substrate comprises two notch portions, and said bent-back portion is provided to correspond to each of said notch portions (see figure 4, two F antennas).

**Regarding claim 8**, Fu further teaches both of said notch portions are provided on said one end side of said circuit substrate (see figure 4).

**Regarding claim 9**, Fu further teaches said bent-back portion is bent back to the side on which said radio circuit portion is provided, of said circuit substrate (see figure 4, circuit board 41).

**Regarding claim 10**, Matsumoto teaches a cellular phone comprises (see figure 44):

a casing (housing 15);

a circuit substrate comprising a ground portion (see figure 54, ground), and a notch portion opened at one end thereof (see figure 44, notch antenna 90, open portion 92); and

a radio circuit portion provided on said circuit substrate for supplying a high-frequency current to said notch portion (see figure 44, high frequency signal source 25, col.12, ln.18-61).

It should be noticed that Matsumoto fails to teach a conductive bent-back portion formed on said one end side of said circuit substrate and configured to be connected with said ground portion and to extend said notch portion, bent-back portion is

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comprised of: a perpendicular portion rising substantially perpendicularly to said circuit substrate; and a parallel portion substantially parallel to said circuit substrate, said parallel portion formed so as to extend from the leading end of said perpendicular portion in a direction substantially orthogonal to the notch direction of said notch portion and to cross said notch portion. However, Fu teaches a conductive bent-back portion formed on said one end side of said circuit substrate (see figure 4, circuit substrate 41, bent back portion) and configured to be connected with said ground portion and to extend said notch portion, bent-back portion is comprised of: a perpendicular portion rising substantially perpendicularly to said circuit substrate (see figure 4, bent back portion is perpendicular with circuit substrate board); and a parallel portion substantially parallel to said circuit substrate, said parallel portion formed so as to extend from the leading end of said perpendicular portion in a direction substantially orthogonal to the notch direction of said notch portion and to cross said notch portion (see figure 4, parallel portion is parallel with circuit substrate board).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Fu into view of Matsumoto in order to provide the new shape with reducing cost as suggested by Fu at [0005-0006].

**Regarding claim 11**, Fu further teaches said bent-back portion is formed so as to be bent back to the side opposite to the side of a hand when said cellular phone is held on the hand (it is obvious the antenna should face away from user hand for better reception, figure 4).

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**5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto et al. (Patent No.: US 5,949,377, hereinafter, "Matsumoto" in view of Fu (U.S. Pub. No.: 2002/0171587) as applied to claim 1 above, and further in view of Iura et al. (U.S. Patent No.: 5,281,765, hereinafter, "Iura").**

Regarding claim 3, Matsumoto and Fu, in combination, fails to teach said circuit substrate has a multilayer structure in which one layer is a flexible printed cable, and said bent-back portion is formed by bending said flexible printed cable. However, Iura teaches such features (see figure 6a-6e, col.3, ln.18-27).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Iura into view of Matsumoto and Fu in order to easy to bent or sharp the angle as suggested by Iura at col.3, ln.18-27.

### **Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Pham whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Technology 2600

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August 6, 2007

Examiner

Tuan Pham

